

FILED
U.S. DISTRICT COURT
SAVANNAH DIV.

2007 JUL -6 PM 2: 53

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF GEORGIA
WAYCROSS DIVISION

CLERK *m. Amato*
SO. DIST. OF GA.

FRANKLIN L. WILLIAMS,

Plaintiff,

vs.

MELBA H. FIVEASH, Clerk,

Defendant.

CIVIL ACTION NO.: CV507-025

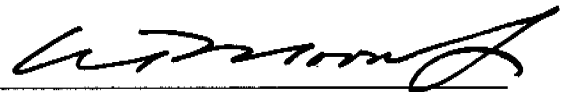
ORDER

After an independent review of the record, the Court concurs with the Magistrate Judge's Report and Recommendation, to which Objections have been filed. Plaintiff also filed a Motion to Amend the Magistrate Judge's Report and Recommendation. Upon review, Plaintiff's Motion to Amend (Doc. No. 5) is **DENIED**.

In his Objections, Plaintiff asserts he filed a writ for mandamus, which was pending for four (4) years before it was denied without any explanation. Even accepting this assertion as true, Plaintiff has failed to show he suffered any actual injury to a non-frivolous pending case as a result of Defendant's alleged failure to provide him with copies of certain pleadings. This is an essential element to Plaintiff's claim that he was denied access to the courts.

Plaintiff's Objections are without merit. The Magistrate Judge's Report and Recommendation is adopted as the opinion of the Court. Plaintiff's Complaint is **DISMISSED** for failure to state a claim upon which relief may be granted.

SO ORDERED, this 6th day of July, 2007.



WILLIAM T. MOORE, JR., CHIEF JUDGE
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA